

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Donald F. Gordon et al. | Examiner: | SALTARELLI, DOMINIC D. |
| Serial No.: | 09/585,263 | Group Art Unit: | 2421 |
| Filed: | June 2, 2000 | Docket No.: | 60136.0156USII |
| Title: | CHANNEL INFORMATION WINDOW VIA SERVER-CENTRIC INTERACTIVE USER INTERFACE | | |

APPELLANT'S REPLY BRIEF
IN RESPONSE TO THE EXAMINER'S ANSWER

Mail Stop APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Appellant's Reply Brief is being submitted in response to the Examiner's Answer of April 13, 2010 and in support of the Appeal Brief filed January 12, 2010.

I. THE EXAMINER FAILS TO ESTABLISH THAT HENDRICKS DISCLOSES GENERATING, AT A HEADEND, AT LEAST ONE BITMAP FOR A CHANNEL INFORMATION WINDOW, ENCODING, AT THE HEADEND, A BROADCAST VIDEO PRESENTATION AND THE BITMAP FOR THE CHANNEL INFORMATION WINDOW

The Answer states that graphics for on screen displays are generated at the headend. The Answer cites Hendricks fig. 31, col. 13, lines 28-40 as disclosing that graphics for on screen displays are generated at the headend. The Answer further states

that the STTCIS includes the graphics files which are stored in a set top and used to display program guide information. The Answer cites col. 13, lines 55-58; col. 18, lines 35-58; and col. 24, lines 7-41, see particularly col. 24, lines 31-41, for showing that the local memory is written and rewritten with graphics files from the information received from the headend.

Hendricks does generate menu templates for that are stored at the set top box. However, Hendricks also discloses that the actual menu is generated at the set top box using the menu templates. Hendricks states that each menu template represents a different portion of a whole menu. (Column 10, lines, 52-61). Further, Hendricks states that that the menu may be created at the set top terminal in a variety of ways. (Column 22, lines, 52-60). Still further, Hendricks only discloses that the program data and the STTCIS, which includes data for menu templates, are transmitted to the set top terminal.

Thus, Hendricks fails to suggest a bitmap for an information window is generated at the headend and then encoded with the broadcast video presentation.

Consequently, Appellant respectfully submits that independent claim1 is patentable over Hendricks and Gordon, alone or in combination.

II. THE EXAMINER FAILS TO ESTABLISH THAT HENDRICKS OR GORDAN, ALONE OR IN COMBINATION, DISCLOSES, TEACH OR SUGGEST COMPOSITING, AT THE SET TOP TERMINAL, THE BITMAP FOR THE CHANNEL INFORMATION WINDOW SO THAT THE CHANNEL INFORMATION WINDOW OVERLAYS AND OBSCURES AT LEAST A PORTION OF THE BROADCAST VIDEO PRESENTATION ON THE DISPLAY

The Answer fails to address whether Hendricks or Gordon suggest compositing, at the set top terminal, the bitmap for the channel information window so that the channel information window overlays and obscures at least a portion of the broadcast video presentation on the display. However, Appellant respectfully submits that neither Hendricks nor Gordon suggest compositing, at the set top terminal, the bitmap for the channel information window so that the channel information window overlays and obscures at least a portion of the broadcast video presentation on the display.

Thus, Hendricks and Gordon, alone or in combination, fails to suggest compositing, at the set top terminal, the bitmap for the channel information window so that the channel information window overlays and obscures at least a portion of the broadcast video presentation on the display.

Thus, Appellant respectfully submits that independent claim1 is patentable over Hendricks and Gordon, alone or in combination.

III. CONCLUSION

In view of the above, Appellants submit that the rejections are improper, the claimed invention is patentable, and that the rejections of claims 1, 5, 7-10, 13 and 14 should be reversed. Appellants respectfully request reversal of the rejections as applied to the appealed claims and allowance of the entire application.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 865-380-5976. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By: _____

A handwritten signature in dark ink, appearing to read "David W. Lynch", written over a horizontal line.

Name: David W. Lynch

Reg. No.: 36,204